

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JERRY HERRING, Individually and	:	1:15-cv-2440
Behalf of All Others Similarly	:	
Situated,	:	
Plaintiffs,	:	
v.	:	Hon. John E. Jones III
	:	
RITE AID CORPORATION, <i>et al.</i> ,	:	
Defendants.	:	

**ORDER**

**August 4, 2017**

The Court is in receipt of letters filed by the parties' in this matter setting forth their respective positions as to the procedural posture of this litigation and possible next steps. (Docs. 69-71). After our review of the letters, it is evident to the Court that the appropriate path forward is to lift the stay in this matter and permit Plaintiff the opportunity to file a motion for leave to amend the complaint, given that the original claims in this matter are now moot. We shall set a filing deadline herein.

**NOW, THEREFORE IT IS HEREBY ORDERED THAT:**

1. The stay in this matter is **LIFTED**.

2. By or before September 15, 2017, Plaintiff shall file a motion for leave to amend the complaint with brief in support. Thereafter, the parties shall follow the Local Rules for briefing deadlines.
3. The Motion to Lift Stay (Doc. 58) is **DISMISSED AS MOOT**.

s/ John E. Jones III  
John E. Jones III  
United States District Judge